



## CRIMINAL JUSTICE GLOSSARY

**ACQUITTAL:** a judgment of a court, based either on the verdict of a jury or a judicial officer, that the defendant is not guilty of the offense(s) for which he/she was tried.

**ADJUDICATION:** the formal hearing and settling of a case by judicial procedure.

**ADULT:** a person 18 years of age or older.

**AGGRAVATED ASSAULT:** an unlawful attack or attempted attack by one person upon another for the purpose of inflicting severe or aggravated bodily injury. This type of assault usually is accompanied by the use of a weapon or by means likely to produce death or great bodily harm (UCR definition).

**APPEAL:** a petition initiated by a defendant for a rehearing in an appellate court regarding a previous sentence or motion.

**ARREST:** ". . . taking a person into custody, in a case and in the manner authorized by law. An arrest may be made by a peace officer or by a private person." (834 PC)

**ARREST RATE:** the number of arrests per 100,000 population.

**ARSON:** any willful or malicious burning or attempt to burn, with or without intent to defraud, a dwelling house, public building, motor vehicle or aircraft, personal property of another, etc. (UCR definition).

**AUTOMATED CRIMINAL HISTORY SYSTEM (ACHS):** a centralized, automated system containing criminal history summary information on persons arrested and fingerprinted in California.

**AVERAGE DAILY POPULATION (ADP):** the average number of inmates housed in a local facility per day. The number includes inmates housed in single cells, double cells, dormitories (multiple occupancy cells), disabled housing, disciplinary segregation, and administrative segregation. The values reported are based upon each facility's "early morning" count. See Type I, II, III, and IV Facilities.

**BOARD OF CORRECTIONS (BOC):** the state agency which develops and maintains standards for the construction and operation of local jail and juvenile detention facilities.

**BURGLARY:** the unlawful entry of a structure to commit a felony or a theft. Attempted burglary is included (UCR definition).

**CALIFORNIA CRIME INDEX (CCI):** a group of offenses chosen to serve as an index for gauging fluctuations in the overall volume and rate of crime. These offenses, chosen because of the seriousness and likelihood of being reported to the police by the public, are willful homicide, forcible rape, robbery, aggravated assault, burglary, and motor vehicle theft. These offenses are reported according to definitions taken from the FBI's *Uniform Crime Reporting Handbook*.

**CALIFORNIA DEPARTMENT OF CORRECTIONS (CDC):** the state agency that has jurisdiction over the California Rehabilitation Center and the California prison system.

**CALIFORNIA REHABILITATION CENTER (CRC):** an institution operated by the California Department of Corrections, which is designated for the treatment of persons addicted to narcotics or in imminent danger of addiction. Commitment to the facility is by civil procedure only.

**CALIFORNIA DEPARTMENT OF THE YOUTH AUTHORITY (CYA):** the state agency which has jurisdiction over and maintains institutions as correctional schools for the reception of wards of the juvenile court and other persons committed from trial courts.

**CASELOAD:** the total number of clients or cases on probation or under supervision with a given agency.

**CHARGE:** a formal allegation that a specific person has committed a specific offense.

**CITATION:** a written order, issued by the police for a violation, to appear before a magistrate or probation officer at a later date.

**CIVIL COMMITMENT:** a type of commitment in which criminal proceedings are suspended while a defendant undergoes treatment at the California Rehabilitation Center (CRC) as a narcotic addict.

**CLEARANCE:** an offense is "cleared by arrest" or solved for crime reporting purposes, when at least one person is arrested, charged with the commission of the offense, and turned over to the court for prosecution. Although no physical arrest is made, a clearance by arrest can be claimed when an offender is a person under 18 years of age and is cited to appear in juvenile court or before other juvenile authorities. An offense can also be "cleared exceptionally" for crime reporting purposes when an investigation has definitely established the identity of an offender; there is enough information to support an arrest; and the exact location of an offender but, for some reason, law enforcement cannot take the offender into custody.

**CLEARANCE RATE:** the percentage of crimes reported that have been cleared.

**COMBINED CASES:** cases declined by the prosecutor in favor of other counts/cases.

**COMMITMENT:** a warrant, order, or process by which the court directs a judicial officer to take a person to a correctional facility.

**COMPLAINT:** a verified written accusation, filed by a prosecuting attorney with a local criminal court, which charges one or more persons with the commission of one or more offenses.

**CONTROLLED SUBSTANCE:** a drug, substance, or immediate precursor which is included in Schedules I through V inclusive, as set forth in Health and Safety Code Sections 11054 through 11058. These would include heroin, marijuana, amphetamines, barbiturates, and psychedelics.

**CONVICTION:** a judgment, based either on the verdict of a jury or a judicial officer or on the guilty plea of the defendant, that the defendant is guilty.

**CORRECTIONS:** those agencies or facilities concerned with the custody, confinement, supervision, or treatment of alleged or adjudicated offenders.

**COURT:** an agency of the judicial branch of government, authorized or established by statute or constitution, having one or more judicial officers on its staff. A court has the authority to decide upon controversies in law and disputed matters of fact brought before it. Because of court consolidation we no longer distinguish between lower court and superior court.

**CRC:** see California Rehabilitation Center.

**CRIME:** ". . . an act committed or omitted in violation of a law forbidding or commanding it. . ." (15 PC).

**CRIME INDEX:** crimes chosen to serve as an index for gauging fluctuations in the overall volume and rate of crime. See California Crime Index and FBI Crime Index.

**CRIME RATE:** the number of reported crimes per 100,000 general population.

**CRIMINAL COMMITMENT:** a type of commitment which results when a defendant is sentenced to prison or the California Department of the Youth Authority.

**CYA:** see California Department of the Youth Authority.

**DEFENDANT:** a person against whom a criminal proceeding is pending.

**DEFERRED PAROLE REVOCATION:** action taken by a prosecutor to revoke the parole status of an offender to return the subject to state prison in lieu of filing new charges.

**DELINQUENT ACTS:** those acts described under Welfare and Institutions Code Section 602 which involve violations by a juvenile of any law or ordinance defining crime, or the violation of a court order of the juvenile court.

**DETERMINE SENTENCING:** sentencing which, by law, requires imposition of a prescribed term of imprisonment.

**DISMISSAL:** a decision by a judicial officer to terminate a case without a determination of guilt or innocence.

**DISPOSITION - COURT:** an action taken as the result of an appearance in court by a defendant. Examples are: adults - dismissed, acquitted, or convicted and sentenced; juveniles - dismissed, transferred, remanded to adult court, placed on probation, or sentenced to the California Department of the Youth Authority.

**DISPOSITION - LAW ENFORCEMENT:** an action taken as the result of an arrest. Examples of police dispositions are: adults - released by law enforcement, referred to another jurisdiction, or a complaint sought; juveniles - handled within the department, referred to another agency, or referred to the probation department or juvenile court.

**DISPOSITION - PROSECUTOR:** an action taken as the result of a complaint requested by an arresting agency. Dispositions include granting a misdemeanor or a felony complaint, or denying a complaint for reasons such as lack of corpus, lack of sufficient evidence, interest of justice, complainant refuses to testify, witness unavailable, inadmissible search, deferred parole revocation, prefiling deferral and other.

**DIVERSION:** a disposition of a criminal defendant either before adjudication or following adjudication but prior to sentencing, in which the court directs the defendant to participate in a work, educational, or rehabilitative program.

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**DIVERSION DISMISSED:** the successful completion of a diversion program.

**DRUGS:** see Controlled Substance.

**FBI CRIME INDEX:** the FBI chose seven crimes to serve as an index for gauging fluctuations in the overall volume and rate of crime. These offenses include homicide, forcible rape, robbery, aggravated assault, burglary, larceny-theft, and motor vehicle theft. By congressional mandate, arson was added as the eighth index offense in 1979.

**FELONY:** a crime which is punishable by death or imprisonment in a state prison (17 & 18 PC).

**FILING:** a document filed with the court clerk or county clerk by a prosecuting attorney alleging that a person committed or attempted to commit a crime.

**FINE:** the penalty imposed upon a convicted person by a court requiring the payment of a specified sum of money.

**FORCIBLE RAPE:** the carnal knowledge of a female forcibly and against her will. Assaults or attempts to commit rape by force or threat of force are included (UCR definition).

**GRANT:** the act of placing an adult on probation.

**GUILTY PLEA:** a defendant's formal answer in open court to charge(s) in a complaint, indictment, or information, stating that the charge(s) is true and that he/she has committed the offense(s) as charged.

**HOMICIDE:** the willful (nonnegligent) killing of one human being by another. Murder and nonnegligent manslaughter are included (UCR definition).

**INCIDENT-BASED DATA SYSTEM:** a data collection method which provides unique data for each recorded event (e.g., Monthly Arrest and Citation Register data base).

**INFRACTION:** an offense punishable by fine or other penalty, but not by incarceration.

**JAIL:** a county or city facility for incarceration of sentenced and unsentenced persons. See Type I, II, III, and IV Facilities.

**JURISDICTION:** the territory, subject matter, or person over which lawful authority may be exercised.

**JUVENILE:** a person under the age of 18.

**LARCENY-THEFT:** the unlawful taking, carrying, leading, or riding away of property from the possession of another (except embezzlement, fraud, forgery, and worthless checks) (UCR definition).

**LOCAL SUPERVISION:** local correctional agencies provide confinement, rehabilitation, and probation services for those sentenced to their care and also house persons awaiting trial or sentencing.

**MANDATORY SENTENCING:** sentencing mandated by law which limits judicial discretion for specific offenses and/or convicted offenders.

**MISDEMEANOR:** a crime punishable by imprisonment in a county jail for up to one year.

**MONTHLY ARREST AND CITATION REGISTER (MACR):** a reporting system used to collect information on adult and juvenile arrests and citations by police and sheriffs' departments. This register contains data on arrest offenses, arrestee characteristics (age, gender, and race/ethnic group), and law enforcement dispositions.

**MOTOR VEHICLE THEFT:** the theft or attempted theft of a motor vehicle (UCR definition).

**NOT AGGRAVATED (SIMPLE) ASSAULT:** assaults and attempted assaults where no weapon is used and which do not result in serious or aggravated injury to the victim (UCR definition).

**OFFENDER-BASED TRANSACTION STATISTICS (OBTS):** a system designed to collect statistical information on the various processes within the criminal justice system that occur between the point of the felony arrest of an adult and the point of final disposition.

**OFFENSE:** the charged offense is the crime for which the defendant was arrested or filed on by the district attorney. The convicted offense is the offense the defendant was convicted of or pled guilty to in court. The sustained offense is the offense for which the juvenile court sustains a petition.

**OUTPATIENT:** a period of supervision following release from the California Rehabilitation Center (CRC).

**PAROLE:** an added period of control following release from prison. [3000(a) PC]

**PAROLE VIOLATION:** violation of one or more of the conditions of parole or an illegal act for which parole is revoked rather than proceeding with criminal prosecution. See Deferred Parole Revocation.

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**PENAL CODE (PC):** the California Penal Code contains statutes that define criminal offenses and specify corresponding punishments along with criminal justice system mandates and procedures.

**PETITION TO REVOKE PROBATION:** action taken by a prosecutor to revoke the probation status of an offender to return the subject to county jail or state prison.

**POPULATION AT RISK:** that portion of the total population, who because of like characteristics to the specific study group, are considered "at risk." For example, if one were studying juvenile arrestees, all persons between 10 and 17 years of age would constitute the at-risk population.

**PRE-FILING DEFERRAL:** action taken by a prosecutor to defer the filing of felony charges against a first-time offender who committed a less serious felony. A case is filed but there is no further disposition until the subject completes the diversionary program (e.g., support group, rehabilitation program).

**PRISON:** a state correctional facility where persons are confined following conviction for a felony offense.

**PROBATION:** a judicial requirement that a person fulfill certain conditions of behavior in lieu of a sentence to confinement. See Straight Probation.

**PROBATION WITH JAIL:** a type of disposition given upon conviction which imposes a jail term as a condition of probation.

**PROBATION REVOCATION:** see Petition to Revoke Probation.

**PROPERTY CRIMES:** crimes against property. This category includes burglary and motor vehicle theft.

**PROPERTY OFFENSES:** arrest offenses for crimes against property. This category includes burglary; theft; motor vehicle theft; forgery, check, and access card offenses; and arson.

**PROSECUTOR:** an attorney employed by a governmental agency whose official duty is to initiate and maintain criminal proceedings on behalf of the government against persons accused of committing criminal offenses.

**RATE:** a comparison of a number of events to a population.

**REMOVAL:** a case removed from an active caseload and no longer under the supervision of the probation department, or a case not removed but escalated to a more advanced level of supervision.

**REVOCATION:** cancellation or suspension of parole or probation.

**REVOKE:** to withdraw, repeal, or cancel probation or parole for an adult.

**ROBBERY:** the taking or attempting to take anything of value from the care, custody, or control of a person or persons by force or threat of force or violence and/or by creating fear in the victim (UCR definition).

**SECONDARY GRANT:** a subsequent grant of probation in the same court for an adult still on probation for the initial grant.

**SENTENCE:** the penalty imposed by a court upon a convicted person.

**STATE INSTITUTION:** a facility for housing defendants who are under the jurisdiction of state correctional or treatment programs.

**STATE SUPERVISION:** the state correctional system provides confinement, rehabilitation, and parole services. The principal provider of these services for adults is the California Department of Corrections (CDC), which includes the California Rehabilitation Center (CRC). Based on special circumstances, some adult offenders are placed in the California Youth Authority (CYA) and California Department of Mental Health (CDMH).

**STATUS OFFENDER:** a juvenile who has been adjudicated by a judicial officer of a juvenile court, as having committed a status offense.

**STATUS OFFENSE:** an act or conduct, described by Welfare and Institutions Code Section 601, which is declared by statute to be an offense, but only when committed or engaged in by a juvenile, and which can be adjudicated only by a juvenile court.

**STRAIGHT PROBATION:** probation granted to adults without condition or stipulation that the defendant serve time in jail as a condition of probation.

**SUBSEQUENT DISPOSITION:** a judicial decision or sentence given at the time of a court return.

**SUBSEQUENT GRANT:** see Secondary Grant.

**SUMMARY DATA SYSTEM:** a data collection method based on the sum of the number of events/counts which occur in a specified period of time (e.g., Uniform Crime Reporting data base).

**SUPERIOR COURT:** the court of original or trial jurisdiction for felony cases and all juvenile hearings. Also, the first court of appeal for municipal or justice court cases.

**SUSTAINED:** to affirm or approve, as when an appellate court sustains the decision of a lower court.

**SWORN PERSONNEL:** a full-time employee of a law enforcement agency who has sworn to carry out law enforcement duties and has full arrest powers.

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**TERMINATED:** satisfactorily completed specified term of probation.

**TYPE I FACILITY:** a local detention facility used for detainment of persons for not more than 96 hours after booking, excluding holidays. Type I facilities may also detain persons on a court order, for either their own safekeeping or sentence persons to a city jail as an inmate worker. This facility may also house inmate workers sentenced to the county jail, provided such placement in the facility is made voluntarily by the inmate. As used in this section, they define an inmate worker as a person assigned to do designed tasks outside his/her cell or dormitory, pursuant to the written policy of the facility, for a minimum of four hours each day on a five-day scheduled work week.

**TYPE II FACILITY:** a local detention facility for the detention of persons pending an arraignment, during a trial, or a sentence of commitment.

**TYPE III FACILITY:** a local detention facility used only for persons convicted and sentenced.

**TYPE IV FACILITY:** a local detention facility or portion of it designated for the housing of inmates eligible under Penal Code Section 1208 for work/education furlough and/or other programs involving inmate access into the community.

**UNIFORM CRIME REPORTING (UCR):** a federal reporting system which compiles crime data based on police statistics, submitted by law enforcement agencies throughout the nation. In California, the Department of Justice administers and forwards these data to the federal program.

**VIOLATION:** breach or infringement of the terms or conditions of probation.

**VIOLENT CRIMES:** crimes against people. This category includes homicide, forcible rape, robbery, and aggravated assault.

**VIOLENT OFFENSES:** arrest offenses for crimes against people. This category includes homicide, forcible rape, robbery, assault, and kidnapping.

**YOUTH AUTHORITY:** see California Department of the Youth Authority.

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